

MINUTES
UTAH
SUBSTANCE ABUSE COUNSELORS
LICENSING BOARD
MEETING

October 31, 2006

Room 475 – 4th Floor – 9:00 A.M.
Heber Wells Building

CONVENED: 9:00 A.M.

ADJOURNED: 3:35 P.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Shawn M. McMillen, Chairperson
Stephen R. Sheppard, PhD
Linda Cornaby
Patrick J. Fleming
Joel Millard, DSW
Ronald K. Wilkey
Kelly J. Lundberg, PhD

Guests:

Craig Jackson, Division Director
Clyde Ormond, Division Bureau Manager

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Acting Chairperson

Patrick Fleming volunteered to act as chairperson until Mr. McMillen arrives.

Read and approve the August 2, 2006 Minutes.

Dr. Lundberg made a motion to approve the minutes as read. Mr. Wilkey seconded the motion. **The Board vote was unanimous.**

APPOINTMENTS:

10:00 A.M.

Joanie Jones, Probationary Interview

Ms. Jones met for her probationary interview.

Dr. Sheppard conducted the interview.

Dr. Sheppard requested Ms. Jones to update the Board on how she is doing.

Ms. Jones responded that she has completed her Bachelor degree and started her Master's program.

She stated that she is working on a housing project with her agency and the County Housing project has asked her to do a presentation at other locations.

Dr. Sheppard stated that Ms. Jones had commented that she would be having some medical procedures that might require an opiate medication of some type. Dr. Sheppard asked Ms. Jones if she had the procedure.

Ms. Jones responded that she did have eye surgery, was given medication and discovered when she arrived at home that it was an opiate. She stated that she did send a copy of the prescription to the Division but she did not get the prescription filled. She stated that she contacted her own Doctor to write a non-narcotic prescription and that one was also submitted to the Division.

Ms. Jones stated that she is still doing marriage counseling with her husband in sessions about every 3 or 4 weeks and personal counseling once a month. She stated the counseling is going well and they are addressing issues as needed.

Ms. Taxin commented that she has appreciated Ms. Jones communicating clearly with the Board.

Ms. Jones thanked Ms. Taxin and responded that she thinks she gets it regarding what is expected now. She stated that she thinks she had to get over her fear of the Board and now the meetings are not as bad as she anticipated they would be.

Ms. Jones asked how she should sign her name now that she has her degree.

Dr. Lundberg responded that most people put their degree first and then the license designation. She stated that Ms. Jones would sign her name Joanie Jones, BA, LSAC. However, Dr. Lundberg stated

that Ms. Jones may decide the order.

Ms. Taxin asked Ms. Jones to talk with her supervisor, Sabina Weil, and ask her to include in her reports comments regarding appropriate documentation in her cases.

Ms. Jones responded that she would talk with Ms. Weil.

Dr. Lundberg suggested Ms. Jones meet again May 2, 2007.

Ms. Jones asked if her reports would also be due May 2, 2007.

Ms. Taxin responded that the reports will be due quarterly. Ms. Taxin again requested Ms. Jones talk with Ms. Weil and be sure she includes more specifics in the reports.

An appointment was made for Ms. Jones to meet again May 2, 2007.

Dr. Sheppard commended Ms. Jones for being very pro-active and vigilant in meeting her probationary requirements.

10:20 A.M.

Melissa Zahn, Probationary Interview

Ms. Zahn met for her probationary interview.

Dr. Lundberg conducted the interview.

Ms. Zahn commented that she was very nervous due to some of her conversations with Ms. Taxin.

She stated that she is not clear as to what the Board is seeing as requirements. She stated that she has read her Stipulation and Order and she agreed to the fact that she was wrong in bringing a former client into her home. She stated that she felt there was some suspicion by the Board that there was also some sexual activity and she has never engaged in any inappropriate behavior with any client or former client, especially this one in a sexual manner. She stated that she has asked everyone she knows if they reported anything regarding inappropriate sexual activity to any

DOPL investigator and they have all responded that they did not. She stated that the issue is really frustrating her.

Dr. Lundberg responded that the Board understands her frustration. She asked if Ms. Zahn feels it is appropriate for her to be on probation if nothing of a sexual nature was reported.

Ms. Zahn stated that she thought she was on probation for housing a client. She stated that Ms. Taxin had informed her that there was an investigation and she has the right to ask questions of the Board as the investigators asked questions of her family, her partner and her friends.

Ms. Taxin responded that the Board is unable to speak to any of the questions asked of her family, her partner and her friends as the Board is not involved in any of the investigation.

Dr. Lundberg stated that the charge is on boundary violations.

Ms. Taxin read the charges as written in the Stipulation and Order. She stated that by Ms. Zahn signing she agreed that everything that was read was accurate and it is now too late to change the facts of the case.

Ms. Zahn stated that Ms. Taxin had commented several times that there was a sexual inappropriate relationship.

Ms. Taxin responded that the Stipulation and Order states in the Finding of Facts that Ms. Zahn's "partner was jealous" and it might be implied that there was something sexual but she would not have said that Ms. Zahn participated in a sexual relationship.

Dr. Lundberg stated that the information would not affect Ms. Zahn's probation and Ms. Zahn is at this meeting to discuss her probation not to question or defend the facts.

Ms. Zahn stated that Jon Scheffres would be a perfect supervisor. She stated that the Board would not accept Jamal Knowles and the Institute of Change let him go as he was not an appropriate supervisor. She stated that she had requested Mr. Scheffres be approved to do the evaluation and then he came to work for the agency. Ms. Zahn stated that she did not know Mr. Scheffres prior to his being hired and when asked by Ms. Taxin if she knew her evaluator she stated no.

Ms. Taxin responded that when she talked with Mr. Scheffres it was disclosed that he was Ms. Zahn's clinical supervisor.

Dr. Lundberg asked if the evaluation had been completed prior to Mr. Scheffres being employed at the Institute of Change.

Ms. Zahn responded that Mr. Scheffres had not done the evaluation.

Dr. Lundberg asked if Ms. Zahn had planned to go ahead with the evaluation after Mr. Schdffres came to work at the agency.

Ms. Zahn responded that she was going to have him do the evaluation. She stated that she is required to have the evaluation and she does not have any previous knowledge of Mr. Scheffres.

Dr. Lundberg again asked Ms. Zahn if she was still planning on moving ahead with having Mr. Scheffres conduct the evaluation even though he is her clinical supervisor.

Ms. Zahn again responded that she felt it would be ok for him to still conduct the evaluation as she could not afford anyone else that was on the list Ms. Taxin supplied for her. She stated evaluations were \$1500.00 plus.

Dr. Lundberg stated that Ms. Zahn has informed the Board that her agency would pay for the evaluation. She asked if they would still pay for the evaluation if someone else completed it.

Ms. Zahn responded that the agency will pay if the

evaluator works at the agency. She stated that they committed to paying for the evaluation and then hired Mr. Scheffres. Ms. Zahn stated that in her opinion Mr. Scheffres would complete a very good evaluation.

Mr. Fleming commented that if Ms. Zahn's agency was willing to pay for an outside evaluator before he was employed by them, then why would they not still agree to pay for someone outside the agency to conduct the evaluation.

Ms. Zahn stated that the agency will not pay \$2400.00 for an evaluation.

Ms. Taxin commented that a few people have stated that the evaluations are very expensive.

Dr. Lundberg asked if Ms. Zahn contacted everyone and could not find anyone who charged less than \$2400.00.

Ms. Zahn responded that she contacted everyone on the list Ms. Taxin provided and the prices varied from \$1800.00 to \$2500.00. Ms. Zahn stated that Mr. Scheffres was only charging \$250.00.

Dr. Lundberg asked if Ms. Zahn brought her monthly reports with her as they are due and have not been received.

Ms. Zahn responded that she was told the reports were faxed. She stated that she has copies and will fax them to the Division either this afternoon or tomorrow.

Dr. Lundberg asked Ms. Zahn what her plan is for completing the psychological evaluation.

Ms. Zahn responded that she is doing the best she can at this time with the financial obligations she has and her limited finances. She stated that she is ready to surrender her license and walk away.

Dr. Lundberg asked Ms. Zahn why she has not surrendered and walked away.

Ms. Zahn responded that she likes what she does as a Substance Abuse Counselor.

Dr. Lundberg stated that Ms. Zahn has until the end of February to complete her continuing education requirement. Dr. Lundberg asked Ms. Zahn what her plan is regarding completing that requirement.

Ms. Zahn responded that she is trying to do some CE on-line and there is something in December that she is planning on completing.

Ms. Taxin reminded Ms. Zahn that her CE must be pre-approved. She stated that Ms. Zahn may fax the information to her for the pre-approval.

Dr. Lundberg asked if Ms. Zahn is aware that she is relying on others to do her work for her by stating that she was told the reports were faxed and she thought they had been.

Ms. Taxin again confirmed that there have been no reports received.

Dr. Lundberg stated that Ms. Zahn is out of compliance. She stated that the Board has heard Ms. Zahn's remarks that she is comfortable with her clinical supervisor conducting her evaluation and that is a concern for Dr. Lundberg. She stated that other concerns are there being no reports received and Ms. Zahn not planning to have the evaluation soon.

Ms. Zahn responded that she cannot have the evaluation right now as everyone requires payment in advance and will not take payments.

Ms. Taxin stated that Ms. Zahn's employer was willing to pay for the evaluation and maybe Ms. Zahn could talk to her employer regarding paying another person to conduct the evaluation.

Mr. Fleming suggested Ms. Zahn ask Jon Scheffres for a referral of someone who might be willing to do the evaluation for a specific amount and may ask Mr. Scheffres to contact the person regarding making payments.

Ms. Zahn responded that she has already asked a couple of people and they are not willing to take payments.

Mr. Wilkey asked if the evaluator must be a licensed Psychologist as the Stipulation and Order requires a psychological evaluation.

Ms. Taxin responded that the Stipulation and Order says any mental health therapist. She stated that she will need to have the name, resume and a copy of the proposed therapists evaluations to be sure it is an appropriate evaluation in order to approve the evaluator.

Ms. Taxin stated that the Stipulation and Order require the evaluation to be completed within 90 days of signing the Order and the Order was signed February 27, 2006.

Dr. Sheppard commented that Ms. Zahn has some mental health issues that he thinks are impacting the probationary process to cause Ms. Zahn to be frustrated and might be impacting her ability to work.

Ms. Zahn asked if the evaluation can be completed by any mental health therapist.

Mr. McMillen responded that she might try going through Vocational Rehabilitation as they will provide someone for her.

Mr. Fleming responded that the psychological evaluation must be completed by a psychologist. He stated that Ms. Zahn is overdue on completing the evaluation.

Dr. Lundberg commented that Ms. Zahn was not sure she was going to continue working in the field and the Board gave her 6 months to decide to maintain her license. She stated that Ms. Zahn came back at the end of 6 months and said she was going to continue to work as a Substance Abuse Counselor.

Dr. Lundberg continued that Ms. Zahn is here due

to her violation. She stated that at the August 2, 2006 meeting Ms. Zahn was unaware of who could supervise her and had an inappropriate supervisor. She stated that Ms. Zahn came back today and states that she is still willing to have the clinical director complete the evaluation and that is another boundary issue. Dr. Lundberg stated that she is struggling with being lenient with Ms. Zahn.

Mr. Fleming stated that Ms. Zahn's probation started on August 27, 2006, after the 6 months given to her to decide to maintain her license, and her 90 days will be up on November 27, 2006. He recommended Ms. Zahn make some phone calls and get the evaluation completed. He stated that if Ms. Zahn returns in February and cannot report that the evaluation is completed he would recommend further action be taken against Ms. Zahn's license.

Ms. Taxin suggested Ms. Zahn write down the requirements and recommendations.

Dr. Sheppard recommended Ms. Zahn contact Vocational Rehabilitation for a reduced monetary rate evaluation based on financial need. Dr. Sheppard then stated that he works at the University of Utah and asked Ms. Zahn to go somewhere else for the evaluation to avoid a conflict of interest. Dr. Sheppard stated that Ms. Zahn may tell the Drug Rehabilitation when she calls that he referred her but she should tell them that she needs to have the evaluation at another location.

Dr. Lundberg asked Ms. Zahn how many supervisor reports she has.

Ms. Zahn responded that she has 3 or 4.

Dr. Lundberg stated that the reports must be faxed by the end of today.

Ms. Zahn stated that she got a letter of notification that she had been referred to a national data bank. She asked what that meant.

Ms. Taxin explained that the Division has the responsibility of reporting all probationary licenses to a national data bank.

Dr. Lundberg stated that Ms. Zahn should read everything carefully as her Stipulation and Order clearly states that the evaluator must not be previously known to her and she did know Mr. Scheffres prior to his doing the assessment.

Ms. Zahn responded that she called Ms. Taxin and informed her that Mr. Scheffres was not known to her nor did she have any prior knowledge of him prior to submitting the information for Ms. Taxin to review.

Dr. Lundberg stated that Ms. Zahn is still making excuses.

Mr. Fleming again stated that the evaluation must be completed by the end of November 2006.

An appointment was made for Ms. Zahn to meet again February 21, 2007.

Ms. Taxin stated that Ms. Zahn may call her if she has any questions and she will be expecting Ms. Zahn's reports to be faxed today.

10:40 A.M.

Teresa Lloyd, Probationary Interview

Ms. Lloyd met for her probationary interview.

Mr. Fleming conducted the interview.

Mr. Fleming asked Ms. Lloyd if she brought her monthly report today as it has not yet been received.

Ms. Lloyd responded that she started her employment in September and her supervisor, Lynn Dangerfield, had said he mailed the original to the Division. She stated that she will check up on the report.

Ms. Lloyd informed the Board that she completed her legal and ethics course through the University of Phoenix. She asked if that course would meet the CE requirement of the Stipulation and Order. Ms. Lloyd submitted documentation of completing 3 semester

credit hour course.

Ms. Taxin asked the Board if they would accept the 3 semester credit hour course to meet the required 20 hours of CE.

The Board responded that they would accept completion of the course as meeting the full 20 hours of CE required by the Stipulation and Order.

Ms. Taxin requested Ms. Lloyd to give a short narrative of what she learned and what was covered in the course.

Ms. Lloyd explained that the course covered dual relationships and stressed to the students that if they recognize that they are in a dual relationship they should terminate treatment and refer the client to someone else.

Ms. Lloyd stated that she has completed several courses at the University of Phoenix in the Professional Counselor program and her practicum is suppose to start in April 2007. She stated that there will be 3 internships to complete in 2008.

Ms. Taxin reminded Ms. Lloyd that she will need to have Don Beck from the University of Phoenix involved with supervision when she starts her practicum and her internships. Ms. Taxin stated that Mr. Beck will need to fill out supervision forms at that time.

Ms. Lloyd responded that she has already given a copy of the Stipulation and Order to Mr. Beck and he has read it. She stated that she asked him to write a letter to the Division. Ms. Lloyd stated that she will fax the reports today or in the morning. She stated that she drives from St. George every Wednesday for her night classes.

Mr. Fleming asked if Lynn Dangerfield will be her supervisor in St. George.

Ms. Lloyd responded that he will and she will make sure the reports are sent each month.

Ms. Taxin suggested Ms. Lloyd ask Mr. Dangerfield to write the reports, let Ms. Lloyd fax them and bring the originals with her to her appointments.

Ms. Taxin asked what Ms. Lloyd and Mr. Dangerfield cover in their supervision sessions.

Ms. Lloyd responded that she compiles the data for Mr. Dangerfield to review and revise. She stated that he is there to be sure she does what she needs to do.

Mr. Fleming commented that he is impressed that Ms. Lloyd would drive from St. George to Salt Lake every week for her education. He stated that it also appears that she is doing well in her employment.

An appointment was made for Ms. Lloyd to meet again February 21, 2007.

11:15

Patrick Fleming was excused from the meeting.

11:15 A.M.

Gregory James McSherry, Initial Probationary Interview

Mr. McSherry met for his probationary interview.

Board members and Division Staff were introduced.

Clyde Ormond, Bureau Manager for Private Probationers Licensing, attended this portion of the meeting. Mr. McSherry is also licensed as a Private Probation Officer and that license has also been put on probation. The LSAC Board will monitor the probation.

Mr. Wilkey conducted the interview.

Mr. Wilkey asked Mr. McSherry to briefly explain why he is on probation.

Mr. McSherry explained that he has been having incidents where he does not remember what has happened. He stated that he has been to doctors for many tests and found through having an EKG that he has some type of heart ailment. He stated that low blood pressure seems to be related to the episodes of confusion, disorientation, slurred speech and not

knowing what is happening. Mr. McSherry stated that he had been on blood pressure medication for about 2 years and then he stopped taking it as he no longer had insurance and could not afford the medicine. He stated that when he stopped taking the medication is when the episodes started. Mr. McSherry stated that he has been placed on medical leave from his employment until his doctors find out what he has and if the problem can be corrected.

Mr. McSherry explained that he had a 9 panel urine analysis (UA) test that came back negative. He stated that he understands that a low or high blood pressure may cause the effects that he experienced and were noticed by his employer, co-workers and family members. He stated that he has an appointment scheduled and is hopeful that the doctors will isolate his problem.

Mr. Wilkey asked if Mr. McSherry has been prescribed any narcotics for his episodes.

Mr. McSherry responded that the last episode was on September 21, 2006 and he was rushed to emergency. He stated that he had an EKG on October 3, 2006 and that was when the doctors noticed the bradycardia. Mr. McSherry stated that Dr. Kendall is treating him for an ongoing spinal problem and chronic pain. He stated that he is now going to an IHC clinic where people with no insurance are treated.

Dr. Lundberg asked Mr. McSherry what he noticed or remembered about the day of the incident.

Mr. McSherry responded that he was very confused and some one had to drive him home. He stated that it was later pointed out to him that he had trouble speaking, he was mumbling and did not make sense. He stated that he had talked with his mother and she asked him what was wrong as he sounded like he was drunk. Mr. McSherry stated that when he has the episodes he feels like he is having a panic attack and has some chest pain and when he comes out of these episodes he has a severe headache.

Dr. Lundberg asked how Mr. McSherry would

know if he is impaired again as he has not noticed in the past.

Mr. McSherry responded that he tries to be more alert and to notice what is going on with himself. He stated that he is now on blood pressure medication and has not had another episode. He concluded that he does not know how he will know if he is having another episode.

Dr. Lundberg asked if benzodine showed up in the 9 panel drug test Mr. McSherry was given or was he not taking his medications at that time.

Mr. McSherry responded that he does not know if he had not taken the benzodine for a few days. He stated that he was told that his blood pressure could be affected if he did not take the medications on a regular basis.

Dr. Lundberg stated that Mr. McSherry is receiving 30 tablets every 30 days. She asked him to respond regarding his medications.

Mr. McSherry responded that he takes methadose 3 times a day, linzoprone for his blood pressure, roszarum to sleep, cymbalta and methadose for pain control. He stated that he has been seeing Dr. Kendall as he does not have a primary doctor at this time. Mr. McSherry stated that Dr. Kendall did not want to address his blood pressure medication so he saw Dr. Greenwood for his blood pressure and medication. Mr. McSherry stated that he was seeing a Psychiatrist in September through LDS Hospital and he could find the Psychiatrists name for the Board. He stated he was seeing the Psychiatrist once a month for counseling and seeing his supervisor once a week at work.

Mr. McSherry explained that he has had chronic pain since 1998 and has had 14 or 15 surgeries since that time with more surgeries needed and now he has a problem with his heart. He stated that he has not worked for almost a month. He stated that he is responsible for his child and can no longer afford his rent or utilities. He stated that he has had to move in with his mother for help.

Mr. McMillan asked Mr. McSherry what he plans to do about his probation as it sounds like he does not think the probation is appropriate.

Mr. McSherry responded that he has talked with Dee Thorell, the investigator, as she thought probation was appropriate and he is not sure he agrees.

Ms. Taxin asked if any of Mr. McSherry's doctors have addressed the issue of him becoming addicted to the drugs he is taking.

Mr. McSherry responded that the addiction has never been addressed. He stated that he is a recovering alcoholic and has been a sober member of AA for 20 years. He stated that he still attends meetings and is a sponsor for other alcoholics. He stated that he does not believe he has a medication issue but has a heart issue.

Dr. Millard asked if Mr. McSherry was detoxified at the time of his UA test and how many years has he been on an opiate based medication.

Mr. McSherry responded that he has been on pain medication for about 8 years and on anti-depressants about 6 years.

Dr. Millard commented that sometimes the challenge of all the drugs together is hard. He remarked that it sounds as if Mr. McSherry has had several incidents and the Board would need to decide if Mr. McSherry is safe to practice.

Dr. Lundberg commented that, regardless of the reason, Mr. McSherry does have an impairment.

Mr. McSherry again stated that an episode could happen at any time at any place but has not happened since being on the blood pressure medication. He again stated that he will be moving in with his mother and he has applied for Medicaid. He stated that he does not plan to continue to practice at this time.

Mr. McMillan asked what options are available regarding the probation and the license.

Ms. Taxin responded that Mr. McSherry needs to communicate with her regarding his new address and phone number, his medications and the outcome of his tests. Ms. Taxin stated that if the tests document Mr. McSherry's problems are health related then the Board will have to evaluate the appropriateness of the probation.

Dr. Lundberg requested Mr. McSherry submit reports from each of his doctors and submit a copy of his UA report.

Ms. Taxin stated that Mr. McSherry will be required to submit letters from the long term doctors confirming his medical problems and the medications he is currently taking. She stated that Mr. McSherry will need to disclose that he is a licensee, has had several episodes where he was disoriented and agreed that he is unsafe to practice. She stated that he will need to tell them he needs a verification of diagnosis and the recommended treatment, all prescriptions and any opinion regarding substance abuse issues.

Dr. Lundberg asked if Dr. Crookston is using medications to withdraw him from other medications.

Mr. McSherry responded that he did not think Dr. Crookston was using any medications to withdraw him from other medications.

Ms. Taxin stated that the concern of the Division and the Board is to protect the public. She stated that if Mr. McSherry has a substance abuse problem the Board would have to address it with him as well as addressing any confirmed health problem. She asked Mr. McSherry to get her as much information as possible within the next few weeks in order for her, Mr. Ormond and the Board to complete a review and evaluation regarding his licenses.

Mr. Ormond suggested Ms. Taxin send a letter to Mr. McSherry outlining specifically what she wants submitted.

Dr. Lundberg requested a letter from his doctors regarding the reasons for prescribing suboxone instead of duprenorphone.

Mr. McMillan commented that the Board needs to be sure Mr. McSherry understands that he cannot work as a Substance Abuse Counselor until it is agreed upon by the Board that he is safe to work.

Mr. McSherry agreed that it is not safe for him to work anywhere right now and stated that he understands that the Board will have to approve him to work. He stated that it gives him peace of mind that he does not have a medicinal problem but does have a medical problem.

An appointment was made for Mr. McSherry to meet again February 21, 2007.

Ms. Taxin stated that she will expect to be talking with Mr. McSherry within the next 2 weeks. During that time he can get the letters from each of the doctors he has been seeing.

Mr. McSherry commented that his employer is holding his job open and he will need to submit a letter stating he is safe to practice before they will let him return to work.

11:45 A.M.

Scott A. Young, Application Review

Mr. Young met with the Board for the review of his application for Substance Abuse Counselor licensing.

Board members and Division staff were introduced.

Mr. McMillan conducted the interview.

Mr. McMillan explained that anytime an application comes before the Division with extensive legal issues they are requested to meet with the Board for an interview and to be sure the applicant understands that the Board has the duty to protect the public.

Ms. Taxin requested Mr. Young to explain why he thinks he will be a safe practitioner, why the Board should issue him a license and how he has

rehabilitated himself.

Mr. Young explained that there were conditions in his life that were very traumatic for him. He stated that his parents were divorced and he left home when he was about 15 years old. Mr. Young explained that he had children when he was about 17 and worked various trades to support the family. He stated that about age 18 he became an industrial painter for about 20 years which took him around the U.S. Mr. Young stated that there was a lot of substance abuse and alcohol in that profession and he made a lot of inappropriate decisions during that period of time. He explained that he started drinking, using cocaine, methamphetamines and marijuana. He stated he had period of sobriety when he was on drug testing. Mr. Young stated that in 1997 his daughter was hit by a car and killed. He stated that he did not know how to grieve and it seemed a good reason for him to use drugs. Mr. Young stated that he had some legal reality that put him on track with Odessy House in 2002 and graduated from there 15 months later in 2003. He stated that he had a chance to learn about his behaviors and see what he had spent 25 years becoming. Mr. Young stated that Odessy House gave him the chance to talk about some of his core issues, his daughter, his siblings, the lack of structure in the home and what he had become.

Mr. McMillan asked if Mr. Young was under supervision while at Odessy House and if they did random UA's.

Mr. Young responded that he was under supervision and did the random UA's while there. Mr. Young stated that he stopped doing the UA's about 6 months after he was terminated from probation.

Mr. McMillan commented that the documentation reflects his probation was terminated May 17, 2006.

Mr. Young responded that he was on probation with the courts until full restitution was paid. He stated that periodically he went back to the courts for review hearings until the final restitution was complete.

Mr. McMillan stated that many people with personal histories have been under supervision for a significant period of time and the Board has learned to give some value to the supervision period.

Ms. Taxin asked Mr. Young how long he has been in recovery.

Mr. Young responded that it has been about 5 years and he made the transition to a staff member when he graduated from the Odyssey House program. He stated that he still goes once a month to a support group. Mr. Young stated that he has custody of his son and uses the son as part of his support system along with the co-workers he interacts with on a daily basis.

Mr. Young explained that he completed the A and D program at the University of Utah. He stated that the education was beneficial but he suffered with some anxiety after such a long period of time of attending school of any type. He stated that the classes were on track for working in the Substance Abuse Counselor field and the staff was willing to go the extra mile to explain questions. He stated that he felt a sense of accomplishment when he completed the course.

Ms. Taxin asked Mr. Young if he were a member of the Board would he recommended licensure for someone in his situation and why would he make the recommendation.

Mr. Young responded that he would recommend licensure and the reasons would be he has come from addiction and has developed a genuine passion to help others be successful and would like to help them along the way.

Dr. Millard made a motion to issue the license. Then Dr. Millard asked if there are any probationary issues if the Board recommends the license be issued.

Ms. Taxin responded that the Board could recommend a clear license if there are no concerns.

Dr. Millard restated his motion to approve for

licensure.

Mr. Wilkey seconded the motion.

The Board vote was unanimous.

Mr. McMillan suggested Dr. Millard's motion be amended to a 12 month probation which would include quarterly supervision reports regarding Mr. Young's practice.

Dr. Lundberg commented that there is no current UA evidence and the Board relies on negative UA's.

Mr. McMillan suggested Dr. Millard's motion be amended to a 12 month probation which would include monthly supervision reports regarding Mr. Young's practice and then move to quarterly supervision reports if there are no concerns and 12 months of random UA testing.

Dr. Millard made the motion.

Mr. Wilkey seconded the motion.

The Board vote was unanimous.

Ms. Taxin asked the Board if they would accept the UA testing from Odessy House if they would agree to conduct the testing.

Dr. Sheppard recommended the testing be conducted through the Division to separate the workplace from the testing requirement.

Mr. Wilkey suggested Mr. Young contact Project Reality for the drug testing.

Mr. McMillan recommended the drug testing be through the Division for the first 6 months and if all tests are negative evaluate at that time.

Mr. Young stated that he would feel better if the Board did not make any exceptions on his behalf and suggested all the drug testing be conducted through the Division.

Dr. Lundberg encouraged Mr. Young to continue with his support groups.

Mr. Young commented that he is comfortable with the group he currently meets with and will continue meeting with them.

Ms. Taxin concluded that she will contact Mr. Young in the next few weeks regarding completing the process. She suggested Mr. Young write down any questions he may have and she will answer them when she meets with him.

Ms. Taxin stated that she and the Board want to be sure Mr. Young is successful and by issuing a probationary license with supervision he is being given the chance to succeed.

12:15 P.M.

Working Lunch Break

12:45 P.M.

Dave Felt and Santiago Cortez, Final Review of Proposed Law

Ms. Taxin distributed 2 revised versions of the Mental Health Practice Act for the Board to review the Substance Abuse Counselors sections.

Mr. Felt stated that he and Mr. Cortez were still struggling with professional names for each level of licensing, ie: the Social Work profession has the Licensed Clinical Social Worker (LCSW), the Certified Social Worker (CSW) and the Social Service Worker (SSW) levels.

Following discussion it was determined by the Board, Ms. Taxin, Mr. Felt and Mr. Cortez to use the following professional names for the different levels of licensing:

- 1. Licensed Certified Substance Abuse Counselor (LSAC) for the individual who has the highest level of licensing.**
- 2. Certified Substance Abuse Counselor (CSAC) for the person who is collecting their hours to be licensed as the LSAC.**
- 3. Certified Substance Abuse Counselor Intern (CSACI) for the person who needs to complete the examination. The CSACI license would be limited to the time necessary to take and pass the examination**

- or 10 month, whichever occurs first.
4. **Certified Substance Abuse Counselor Extern, (CSACE) for the person who needs the education and already has their experience. This license would be the grandfather license for a specific time period. The license would be valid for only 2 years or until January 1, 2010, whichever comes first. After the 2 years or January 1, 2010, the person would have to cease practicing as a Substance Abuse Counselor until all other requirements have been met and the LSAC license issued.**

The Board recommended the mental health therapist supervisor be required to supervise no more than 5 Substance Abuse Counselors for a minimum of 5 hours per week.

The Board recommended the LSAC supervisor be licensed and practicing a minimum of 2 years prior to becoming a supervisor and supervise no more than 3 CSACI's or CSACE's.

Mr. Felt and Mr. Santiago thanked the Board for their assistance and recommendations in preparing the proposed Law changes.

DISCUSSION ITEMS:

Annual Board Member Training

This item was deferred to the February 21, 2007 meeting.

Tentative Board meeting schedule

The Board noted the following dates for the 2007 Board meeting schedule: February 21, May 2, August 8 and November 7, 2007.

CORRESPONDENCE:

AASCB Newsletter, Summer 2006

The Board reviewed the AASCB Newsletter. **No Board action was taken.**

NEXT MEETING SCHEDULED FOR:

February 21, 2007

MEETING ADJOURNED AT:

3:35 P.M.

Date Approved

Chairperson, Utah Substance Abuse Counselor
Licensing Board

Date Approved

Bureau Manager, Division of Occupational &
Professional Licensing